

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES RICE KENDALL and
ANN P. HOCHBERG, as Trustees for
The Thomas E. Proctor Heirs Trust,

Plaintiffs,

v.

EQT AMD LLC, EQT ARO LLC,
INTERNATIONAL DEVELOPMENT
CORP., and SWN PRODUCTION
COMPANY, LLC,

Defendants.

Civil Action No. 21-cv-1491

(Chief Judge Brann)

PLAINTIFFS' MOTION TO LIFT STAY

Charles R. Kendall and Ann P. Hochberg, Trustees for the Thomas E. Proctor Heirs Trust (the "Trust") hereby move to lift the stay the Court entered on July 6, 2023. The Pennsylvania Supreme Court has answered the certified question that prompted the stay, providing clarity on the legal issues to this Court. The grounds upon which the Court should grant this Motion are stated more fully in the accompanying Brief in Support of Plaintiffs' Motion to Lift Stay, which is incorporated by reference herein.

WHEREFORE, the Proctor Trust respectfully requests that the Court enter an order lifting the stay in this case, denying EQT's motion to dismiss, ordering EQT

to answer the Complaint, and granting any other relief that this Court deems just and appropriate.

Dated: July 16, 2025

Respectfully submitted,

/s/ Laura A. Lange

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CERTIFICATE OF NON-CONCURRENCE

I hereby certify that I contacted counsel for Defendants via telephone and electronic mail on June 12, 2025 and June 30, 2025, to determine whether Defendants consent to the relief sought herein. Counsel for Defendants did not concur in the filing of this Motion.

Dated: July 16, 2025

/s/ Laura A. Lange

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed with the Clerk of Court today via the Court's CM/ECF, and that, pursuant to Local Civil Rule 5.7, participants in the case who are registered ECF users will be served by the ECF system.

Dated: July 16, 2025

/s/ Laura A. Lange